

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Jean Louis Rousselle

v.

Criminal No. 07-cr-001-JD

United States of America

O R D E R

The defendant requested the court to modify the judgment in this case (document #39). The court is without authority to do so and the motion is denied.

The defendant also complained about the medical care he was receiving. The court requested U.S. Probation Officer Christopher Pingree to look into the matter promptly, which he did, and he has filed a report with the court dated March 31, 2008. Attached to the report was a copy of a letter he received from Robert T. Numbers, II, attorney for Rivers Correctional Institution, and a copy of a letter he received from Philip Fornaci, Director, D.C. Prisoners' Project. The Clerk shall forward copies of all three of these documents to the defendant.

Based on the summary contained in Attorney Numbers' letter, it is evident that the defendant is receiving medical care. Mr. Fornaci points out in his letter that the D.C. Prisoners' Project has filed a class action against Rivers seeking to "improve the dismal state of medical care."

While this court is not in a position to draw any conclusions about the quality of medical care the defendant has received at Rivers, it is evident that Rivers is aware of the fact that he needs medical care and has been providing him with medical care. Furthermore, presumably the defendant's interests are being addressed in the larger context of the class action that is pending which challenges the quality of medical care at Rivers.

In the event that the defendant in good faith believes his medical care is inadequate and a cause for immediate concern, then his redress is to file an appropriate action in the United States District court for the Eastern District of North Carolina, which is the court that has jurisdiction over Rivers, seeking a temporary restraining order and/or injunctive relief.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

April 1, 2008

cc: Paul J. Haley, Esquire
Arnold H. Huftalen, Esquire
Jean Louis Rousselle, pro se